

06/01/01

06-04-01

PTO/SB/05 (03-01)

Please type a plus sign (+) inside this box → ±

Approved for use through 10/31/2002. OMB 0651-0033  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

|                        |   |
|------------------------|---|
| Attorney Docket No.    | P1133/20003   |
| First Inventor         | Jules E. Gardner  |
| Title                  | SYSTEM AND METHOD FOR CONDITIONALLY<br>ING A PLURALITY OF ENABLED IMAGES<br>PREDETERMINED IMAGE |
| Express Mail Label No. | EL729585651US   |

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
- ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
- ☒ Specification [Total Pages 34]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
- ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 11]
- Oath or Declaration [Total Pages 2]
  - ☐ Newly executed (original or copy)
  - ☒ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)
    - ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

- ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
- Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - ☐ Computer Readable Form (CRF)
  - Specification Sequence Listing on:
    - ☐ CD-ROM or CD-R (2 copies); or
    - ☐ paper
  - ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

- ☒ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement of Power of Attorney (when there is an assignee)
- ☐ English Translation Document (if applicable)
- ☐ Information Disclosure Statement (IDS)/PTO-1449 [Copies of IDS Citations]
- ☐ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
- ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
- ☒ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
- ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

|   |  |   |                                      |
|---|--|---|--------------------------------------|
| <input type="checkbox"/> Continuation   | <input checked="" type="checkbox"/> Divisional | <input type="checkbox"/> Continuation-in-part (CIP) | of prior application No.: 09 723,505 |
| Prior application information: Examiner |  |   | Group Art Unit: 2173                 |

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

|   |  |    |  |
|---|--|----|--|
| <input checked="" type="checkbox"/> Customer Number or Bar Code Label | 03000<br>(Insert Customer No. or Attach bar code label here) | or | <input checked="" type="checkbox"/> Correspondence address below |
|---|--|----|--|

|         |   |                |     |               |            |
|---------|---|----------------|-----|---------------|------------|
| Name    | Frank M. Linguiti, Esquire  |                |     |               |            |
| Address | Caesar, Rivise, Bernstein, Cohen & Pokotilow, Ltd.<br>12th Floor, Seven Penn Center, 1635 Market Street |                |     |               |            |
| City    | Philadelphia  | State          | PA  | Zip Code      | 19103-2212 |
| Country | United States of America  | (215) 567-2010 | Fax | (215) 751-142 |            |

|                   |                            |                                   |        |
|-------------------|----------------------------|-----------------------------------|--------|
| Name (Print/Type) | Frank M. Linguiti, Esquire | Registration No. (Attorney/Agent) | 32,424 |
| Signature         | Frank M. Linguiti          | Date                              | 6/1/01 |

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06/01/01

10961 U.S. PTO

PTO/SB/17 (11-00)

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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 355.00

## Complete if Known

Application Number  
Filing Date June 1, 2001  
First Named Inventor Jules E. Gardner  
Examiner Name  
Group Art Unit  
Attorney Docket No. P1133/20003

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:  
Deposit Account Number 03-0075  
Deposit Account Name Caesar, Rivise, Bernstein, Cohen & Pokotilow, Ltd.

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:  
☐ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description        | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 101 710                    | 201 355                    | Utility filing fee     | 355      |
| 106 320                    | 206 160                    | Design filing fee      |          |
| 107 490                    | 207 245                    | Plant filing fee       |          |
| 108 710                    | 208 355                    | Reissue filing fee     |          |
| 114 150                    | 214 75                     | Provisional filing fee |          |

SUBTOTAL (1) (\$ 355

### 2. EXTRA CLAIM FEES

Total Claims 20  
Independent Claims 1  
Multiple Dependent  
Extra Claims  
-20\*\* = 0  
-3\*\* = 0  
Fee from below 9  
Fee Paid 0

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  |
|----------------------------|----------------------------|--|
| 103 18                     | 203 9                      | Claims in excess of 20                                     |
| 102 80                     | 202 40                     | Independent claims in excess of 3                          |
| 104 270                    | 204 135                    | Multiple dependent claim, if not paid                      |
| 109 80                     | 209 40                     | ** Reissue independent claims over original patent         |
| 110 18                     | 210 9                      | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ -0-

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 105 130                    | 205 65                     | Surcharge - late filing fee or oath  |          |
| 127 50                     | 227 25                     | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139 130                    | 139 130                    | Non-English specification  |          |
| 147 2,520                  | 147 2,520                  | For filing a request for ex parte reexamination                            |          |
| 112 920*                   | 112 920*                   | Requesting publication of SIR prior to Examiner action                     |          |
| 113 1,840*                 | 113 1,840*                 | Requesting publication of SIR after Examiner action                        |          |
| 115 110                    | 215 55                     | Extension for reply within first month                                     |          |
| 116 390                    | 216 195                    | Extension for reply within second month                                    |          |
| 117 890                    | 217 445                    | Extension for reply within third month                                     |          |
| 118 1,390                  | 218 695                    | Extension for reply within fourth month                                    |          |
| 128 1,890                  | 228 945                    | Extension for reply within fifth month                                     |          |
| 119 310                    | 219 155                    | Notice of Appeal   |          |
| 120 310                    | 220 155                    | Filing a brief in support of an appeal                                     |          |
| 121 270                    | 221 135                    | Request for oral hearing   |          |
| 138 1,510                  | 138 1,510                  | Petition to institute a public use proceeding                              |          |
| 140 110                    | 240 55                     | Petition to revive - unavoidable   |          |
| 141 1,240                  | 241 620                    | Petition to revive - unintentional   |          |
| 142 1,240                  | 242 620                    | Utility issue fee (or reissue)   |          |
| 143 440                    | 243 220                    | Design issue fee   |          |
| 144 600                    | 244 300                    | Plant issue fee  |          |
| 122 130                    | 122 130                    | Petitions to the Commissioner  |          |
| 123 50                     | 123 50                     | Processing fee under 37 CFR 1.17(q)  |          |
| 126 180                    | 126 180                    | Submission of Information Disclosure Stmt                                  |          |
| 581 40                     | 581 40                     | Recording each patent assignment per property (times number of properties) |          |
| 146 710                    | 246 355                    | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149 710                    | 249 355                    | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179 710                    | 279 355                    | Request for Continued Examination (RCE)                                    |          |
| 169 900                    | 169 900                    | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ -0-

## SUBMITTED BY

Name (Print/Type) Frank M. Linguiti, Esquire  
Signature

Registration No. (Attorney/Agent) 32,424

## Complete (if applicable)

Telephone (215) 567-2010

Date 6/1/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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Applicants : Jules E. Gardner, Keith J. Gelles and Brian P. Sloyer  
Invention : SYSTEM AND METHOD FOR CONDITIONALLY  
ASSOCIATING A PLURALITY OF ENABLED  
IMAGES WITH A PREDETERMINED IMAGE

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This is a divisional application of which includes the following:

1. Utility Patent Application Transmittal Sheet
2. Fee Transmittal for FY 2001 Sheet (in duplicate)
3. Specification - 28 pages
4. 20 Claims - 5 pages
5. Drawings - 11 Sheets
6. Abstract of the Disclosure (1 page)
7. Copy of Declaration from A.S.N.: 09/723,505 filed  
filed on May 15, 2001
8. Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)
9. Return Receipt Postcard
10. "Express Mail" Mailing Label No. EL729585651US  
Date of Deposit June 1, 2001

I hereby certify that the above-identified  
documents are being deposited with the United  
States Postal Service "Express Mail Post  
Office to Addressee" service under 37 CFR  
1.10 on the date indicated above and are  
addressed to the Commissioner of Patents,  
Attention: Box Patent Applications,  
Washington, DC 20231

  
\_\_\_\_\_

09872036-060101

COPY

Attorney Docket No. P1133/20002  
Customer No. 03000  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT EXAMINING OPERATION

Applicants : Jules E. Gardner, Keith J. Gelles,  
and Brian P. Sloyer

Serial No. : 09/723,505

Confirmation No. : 4909

Filed : November 28, 2000

For : METHOD AND SYSTEM  
FOR CREATING AND DISPLAYING  
IMAGES INCLUDING POP-UP  
IMAGES ON A VISUAL DISPLAY

Group : 2173

SUBMISSION OF INVENTOR DECLARATION AND POWER OF ATTORNEY

Commissioner of Patents  
Attention: BOX MISSING PARTS  
Washington, D.C. 20231

Sir:

Responsive to the Notice to File Missing Parts of NonProvisional Application dated  
April 3, 2001, Applicants enclose the following documents which should be placed in the  
file of this application:

- (1) Declaration for Patent Application and Power of Attorney;
- (2) a copy of the Notice to File Missing Parts of  
NonProvisional Application.

Please charge the surcharge fee of Sixty-Five Dollars (\$65.00) under 37 CFR §1.16(e) for a small entity, or any additional fees associated with this Submission of the Declaration, along with a copy of the Notice to File Missing Parts of NonProvisional Application, to Deposit Account No. 03-0075.

A duplicate copy of this Submission is enclosed herewith.

Respectfully submitted,

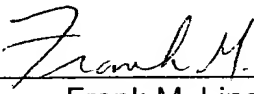
CAESAR, RIVISE, BERNSTEIN,  
COHEN & POKOTILOW, LTD.

May 15<sup>th</sup>, 2001

By Frank M. Linguiti  
Frank M. Linguiti  
Reg. No. 32,424  
Customer No. 03000  
Seven Penn Center  
12th Floor  
1635 Market Street  
Philadelphia, PA 19103-2212  
(215) 567-2010  
Attorneys for Applicants

# CERTIFICATE OF MAILING

I hereby certify that the foregoing SUBMISSION OF INVENTOR DECLARATION AND POWER OF ATTORNEY, in duplicate, and specified enclosures, re Application Serial No. 09/723,505 are being deposited with the United States Postal Services as first class mail, postage prepaid, in an envelope addressed to: Commissioner of Patents, Attention: BOX MISSING PARTS, Washington, D.C. 20231 on this 15<sup>th</sup> day of May, 2001.

  
\_\_\_\_\_  
Frank M. Linguiti

PTO/SB/35 (11-00)

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U.S. Patent and Trademark Office: U. S. DEPARTMENT OF COMMERCE

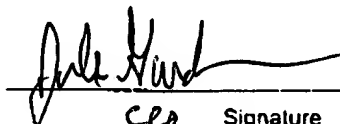
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|  |                      |  |
|--|----------------------|--|
| <b>REQUEST AND CERTIFICATION<br/>UNDER<br/>35 U.S.C. 122(b)(2)(B)(i)</b> | First Named Inventor | Jules E. Gardner   |
|  | Title                | SYSTEM AND METHOD FOR CONDITIONALLY ASSOCIATING<br>A PLURALITY OF ENABLED IMAGES WITH A PREDETERMINED<br>IMAGE |
|  | Atty Docket Number   | P1133/20003  |

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

May 22-2001

Date



CEO Signature

Jules Gardner

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).

**Burden Hour Statement:** This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

09872036-060101